

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers

FROM/PHONE: William W. Ackerman, CPA, Budget & Finance Director/797-1050

PREPARED BY: Nabors, Giblin & Nickerson, P.A. Attorney At Laws

SUBJECT: Resolution

AFFECTED DISTRICT: Townwide

ITEM REQUEST: Schedule for Council Meeting

TITLE OF AGENDA ITEM: FIRE RESCUE ASSESSMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, RELATING TO THE PROVISION OF FIRE RESCUE SERVICES, FACILITIES AND PROGRAMS IN THE TOWN OF DAVIE, FLORIDA; DESCRIBING THE METHOD OF ASSESSING FIRE RESCUE ASSESSED COSTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE TOWN OF DAVIE; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF: This action is necessary to proceed with the Fire Rescue Assessment Program for Fiscal Year 2009-10. The Town enacted Ordinance 96-33 which authorized the imposition of an annual fire assessment. In order to reimpose the assessment for Fiscal Year 2009/2010 and use the tax bill collection method, the Ordinance requires the Town to adopt an Annual Rate Resolution which establishes the final assessment rate and approves the Assessment Roll. A public hearing to establish the final rate resolution will be held on September 14th, 2009 at 12:00 p.m.

PREVIOUS ACTIONS: The enacting Ordinance #96-33 was amended in September 2003 via Ordinance #2003-33.

CONCURRENCES: N/A

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S): Motion to approve resolution

Attachment(s): Preliminary Rate Resolution

TOWN OF DAVIE, FLORIDA

**PRELIMINARY RATE RESOLUTION
FOR FIRE RESCUE**

ADOPTED JULY 29, 2009

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RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, RELATING TO THE PROVISION OF FIRE RESCUE SERVICES, FACILITIES AND PROGRAMS IN THE TOWN OF DAVIE, FLORIDA; DESCRIBING THE METHOD OF ASSESSING FIRE RESCUE ASSESSED COSTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE TOWN OF DAVIE; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in August of 1996, the Town of Davie implemented a recurring annual fire rescue special assessment program to provide a portion of the funding for the Town's fire rescue services and facilities with the adoption of Ordinance No. 96-33, as it may be amended, and imposed fire rescue assessments for Fiscal Year 1996-1997 with the adoption of Resolution Nos. R-96-254 (the "Initial Assessment Resolution") and R-96-285 (the "Final Assessment Resolution"); and

WHEREAS, pursuant to Ordinance No. 96-33, as it may be amended, the reimposition of Fire Rescue Assessments for the Fiscal Year commencing October 1, 2009 requires certain processes such as the preparation of the Assessment Roll; and

WHEREAS, annually a Preliminary Rate Resolution describing the method of assessing Fire Rescue Assessed Costs against Assessed Property located within the Town, directing the preparation of an Assessment Roll, authorizing a public hearing and directing the provision of notice thereof is required by Ordinance No. 96-33, as it may be amended, for the reimposition of the Fire Rescue Assessments.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. AUTHORITY. This resolution is adopted pursuant to the provisions of the Fire Rescue Assessment Ordinance (No. 96-33, as it may be amended), the Initial Assessment Resolution (No. R-96-254), as it may be amended, the Final Assessment Resolution (No. R-96-285), the Charter of the Town of Davie, sections 166.021 and 166.041, Florida Statutes, and other applicable provisions of law.

SECTION 2. PURPOSE AND DEFINITIONS.

(A) This resolution constitutes the Preliminary Rate Resolution as defined in the Ordinance; it initiates the annual process for updating the Assessment Roll and directs the reimposition of Fire Rescue Assessments for the Fiscal year beginning October 1, 2009. Additionally, because the Town has revised its assessment methodology and updated its program components, this resolution shall also amend and restate the Initial Assessment Resolution in its entirety.

(B) All capitalized words and terms not otherwise defined herein shall have the meanings set forth in the Ordinance. In the event of conflict, the definitions in this Resolution shall prevail for purposes of the Fire Rescue Assessment. Unless the context indicates otherwise, words imparting the singular number, include the plural number, and vice versa. As used in this resolution, the following terms shall have the following meanings, unless the context hereof otherwise requires:

"Building Area" means the adjusted area of a Building expressed in square feet and reflected on the Tax Roll or, in the event such information is not reflected or determined not to be accurately reflected on the Tax Roll, that area determined by the Town.

"CAD Database" means the reporting system used by the Town to report fire rescue incidents.

"Code Descriptions" mean the descriptions listed in the Fixed Property Use Codes and the Fire Class Codes.

"Commercial Property" means collectively those Tax Parcels with a Code Description designated as "Commercial" or "C" in the Fire Class Codes specified in Appendix B.

"Cost Apportionment" means the apportionment of the Fire Rescue Assessed Cost among all Property Use Categories according to the Demand Percentages established pursuant to the apportionment methodology described in Section 6 of this Preliminary Rate Resolution.

"Demand Percentage" means the percentage of demand for fire rescue services, facilities, or programs attributable to each Property Use Category determined by analyzing the historical demand for fire rescue services as reflected in the Fire Rescue Incident Reports in the CAD Database under the methodology described in Section 6 of this Preliminary Rate Resolution.

"DOR Code" means a property use code established in Rule 12D-8.008, Florida Administrative Code, assigned by the Property Appraiser to Tax Parcels within the Town.

"Dwelling Unit" means (1) a Building, or a portion thereof, available to be used for residential purposes, consisting of one or more rooms arranged, designed, used, or intended to be used as living quarters for one family only, or (2) the use of land in which lots or spaces are offered for rent or lease for the placement of mobile homes for residential purposes.

"Educational Property" means those Tax Parcels with a Code Description designated as "Higher Education" or "Z" in the Fire Class Codes specified in Appendix B.

"Emergency Medical Services" means those services recorded in Incident Reports that are assigned as "EMS" in the "type of situation found codes" attached hereto as Appendix A.

"Emergency Medical Services Cost" means the amount, other than first response medical rescue services, determined by the Town Council to be associated with Emergency Medical Services.

"Estimated Fire Rescue Assessment Rate Schedule" means that rate schedule attached hereto as Appendix C and hereby incorporated herein by reference, specifying the Fire Rescue Assessed Costs determined in Section 8 of this Preliminary Rate Resolution and the estimated Fire Rescue Assessments established in Section 8 of this Preliminary Rate Resolution.

"Fire Class Codes" means the property codes assigned by the Property Appraiser to Tax Parcels within the Town as specified in Appendix B attached hereto and incorporated herein by reference.

"Fire Rescue Assessed Cost" means the Fire Rescue Assessed Cost as defined in the Ordinance, as qualified by the following:

(1) In the event the Town also imposes an impact fee upon new growth or development for fire rescue related capital improvements, the Fire Rescue Assessed Cost shall not include costs attributable to capital improvements necessitated by new growth or development that will be paid by such impact fees.

(2) In no event shall the Fire Rescue Assessed Cost include any amount attributable to the Emergency Medical Services Cost.

"Fire Rescue Incident Reports" means those Incident Reports that do not record Emergency Medical Services.

"Fixed Property Use Codes" mean the property use codes used by the Town to assign property use for each response in the Incident Reports.

"FFIRS" means the Florida Fire Incident Reporting System maintained by the Florida State Fire Marshal.

"Incident Report" means an individual report filed in the CAD Database.

"Institutional Property" means those Tax Parcels with a Code Description designated as "Institutional" or "I" in the Fire Class Codes specified in Appendix B.

"Mixed Use Property" means a Tax Parcel that contains Buildings whose use descriptions are capable of assignment under a Code Description in the Fire Class Codes in more than one Property Use Category or are coded as "Special" or "S" in the Fire Class Codes specified in Appendix B.

"Non-Residential Property" means, collectively, Commercial Property, Warehouse/Industrial Property, Institutional Property, and Educational Property.

"Parcel Apportionment" means the further apportionment of the Fire Rescue Assessed Cost allocated to each Property Use Category by the Cost Apportionment among the Tax Parcels under the methodology established in Section 7 of this Preliminary Rate Resolution.

"Property Use Categories" mean, collectively, Residential Property and all categories of Non-Residential Property.

"Residential Property" means those Tax Parcels with a Code Description designated as "Residential" or "R" in the Fire Class Codes specified in Appendix B.

"Tax Parcel" means a parcel of property located within the Town to which the Property Appraiser has assigned a distinct ad valorem property tax identification number.

"Warehouse/Industrial Property" means those Tax Parcels with a Code Description designated as "Warehouse/Industrial" or "W" in the Fire Class Codes specified in Appendix B.

SECTION 3. PROVISION AND FUNDING OF FIRE RESCUE SERVICES.

(A) Upon the imposition of a Fire Rescue Assessment for fire rescue services facilities, or programs against Assessed Property located within the Town, the Town shall provide fire rescue services to such Assessed Property. A portion of the cost to provide such fire rescue services, facilities, or programs shall be funded from proceeds of the Fire Rescue Assessments. The remaining cost required to provide fire rescue services, facilities, and programs shall be funded by legally available Town revenues other than Fire Rescue Assessment proceeds.

(B) It is hereby ascertained, determined, and declared that each parcel of Assessed Property located within the Town will be benefited by the Town's provision of fire rescue services, facilities, and programs in an amount not less than the Fire Rescue Assessment imposed against such parcel, computed in the manner set forth in this Preliminary Rate Resolution.

SECTION 4. IMPOSITION AND COMPUTATION OF FIRE RESCUE ASSESSMENTS. Fire Rescue Assessments shall be imposed against all Tax Parcels

within the Property Use Categories. Fire Rescue Assessments shall be computed in the manner set forth in this Preliminary Rate Resolution.

SECTION 5. LEGISLATIVE DETERMINATIONS OF SPECIAL BENEFIT AND FAIR APPORTIONMENT. It is hereby ascertained and declared that the Fire Rescue Assessed Costs provide a special benefit to the Assessed Property based upon the following legislative determinations and based upon that certain report entitled "Town of Davie, Florida, Fire Services Special Assessment Methodology Report," dated June 30, 2008," prepared by New Community Strategies, Inc., which is hereby incorporated herein by reference.

general

(A) Upon the adoption of this Preliminary Rate Resolution determining the Fire Rescue Assessed Costs and identifying the Assessed Property to be included in the Assessment Roll, the legislative determinations of special benefit ascertained and declared in Section 1.04 of the Ordinance are hereby ratified and confirmed.

(B) It is fair and reasonable to use the Fire Class Codes and the DOR Codes for the Cost Apportionment and the Parcel Apportionment because: (1) the Tax Roll database employing the use of such property use codes is the most comprehensive, accurate, and reliable information readily available to determine the property use and Building Area for improved property within the Town, and (2) the Tax Roll database within such property use codes is maintained by the Property Appraiser and is thus consistent with parcel designations on the Tax Roll which compatibility permits the development of an Assessment Roll in conformity with the requirements of the Uniform Method of Collection.

(C) The data available in the Fire Class Codes is more useful and accurate to determine Building Area than relying exclusively upon the data maintained in the DOR Code alone because (1) the data maintained in the Fire Class Codes reveals the existence of a Building with a different use than the use described on the DOR Code, and (2) the Fire Class Codes represent records maintained by the Property Appraiser with the most information relative to Building Area regardless of property use.

cost apportionment

(D) It is fair and reasonable and consistent with the decision from the Florida Supreme Court in the case of City of North Lauderdale v. SMM Properties, Inc., 825 So. 2d 343 (Fla. 2002), to exclude from the Fire Rescue Assessed Cost amounts determined to constitute the Emergency Medical Services Cost.

(E) Apportioning the Fire Rescue Assessed Cost among classifications of improved property based upon historical demand for fire rescue services, but not Emergency Medical Services, is fair and reasonable and proportional to the special benefit received, and will ensure that no property is assessed an amount greater than the special benefit received.

(F) The Fire Rescue Incident Reports are the most reliable data available to determine the potential demand for fire rescue services from property use and to determine the benefit to property use resulting from the availability of fire rescue services to protect and serve Buildings located within Assessed Property and their intended occupants. There exist sufficient Fire Rescue Incident Reports that document the historical demand for fire rescue services from Assessed Property within the Property Use Categories. The Demand Percentage that has been determined for each Property Use Category by an examination

of such Fire Rescue Incident Reports is consistent with the experience of the Town. Therefore, the use of Demand Percentages that were determined by an examination of Fire Rescue Incident Reports is a fair and reasonable method to apportion the Fire Rescue Assessed Costs among the Property Use Categories.

(G) The historical demand for fire rescue service availability for multi-family and single family Residential Property is substantially similar and any difference in the percentage of documented fire rescue calls to such specific property uses is statistically insignificant.

(H) As a result of the urbanized character of the Town, the suppression of fire on vacant property primarily benefits the Buildings within the adjacent improved property by the containment of the spread of fire rather than the preservation of the vacant property. Therefore, it is fair and reasonable not to apportion any of the Fire Rescue Assessed Costs to vacant property and the Fire Rescue Incident Reports documenting historical fire services provided to vacant property were thus omitted from the Demand Percentage calculation.

(I) The Town's budget is sized based upon its ability to provide service to improved property within its boundaries. Therefore, the level of services required to meet anticipated demand for fire rescue services and the corresponding annual fire rescue budget required to fund fire rescue services provided to non-specific property uses would be required notwithstanding the occurrence of any incidents from such non-specific property use. Therefore, it is fair and reasonable to omit from the Demand Percentage calculation the Fire Rescue Incident Reports documenting fire rescue services provided to non-specific property uses.

residential parcel apportionment

(J) Neither the size nor the value of Residential Property determines the scope of the required fire rescue response. The potential demand for fire rescue services is driven by the existence of a Dwelling Unit and the anticipated average occupant population.

(K) Apportioning the Fire Rescue Assessed Cost for fire rescue services attributable to Residential Property on a per Dwelling Unit basis is required to avoid cost inefficiency and unnecessary administration and is a fair and reasonable method of Parcel Apportionment based upon historical call data.

non-residential parcel apportionment

(L) The separation of Non-Residential Property Buildings by actual square footage is fair and reasonable for the purpose of Parcel Apportionment because the demand for Fire Rescue Service is determined and measured by the actual square footage of structures and improvements within benefitted parcels.

(M) Institutional Property whose use is exempt from ad valorem taxation under Florida law provides facilities and uses to the ownership, occupants, membership as well as the public in general that otherwise might be requested or required to be provided by the Town and such uses thereof serve a public purpose and provide a public benefit. Therefore, it is fair and reasonable not to impose Fire Rescue Assessments upon Buildings of Institutional Property whose Building use is wholly exempt from ad valorem taxation under Florida law. Accordingly, no Fire Rescue Assessment shall be imposed upon a Building of Institutional Property whose Building use is wholly exempt from ad valorem taxation under Florida law.

(N) Government Property provides facilities and uses to the community, local constituents and the public in general that serve a legitimate public purpose and provide a public benefit. Therefore, it is fair and reasonable not to impose Fire Rescue Assessments upon such parcels of Government Property and no Fire Rescue Assessment shall be imposed on such parcels.

(O) Although the fee for certain parcels of Educational Property may be owned by a governmental entity, Educational Property that is also Government Property does not provide the same type of public benefit as other Government Property. Additionally, exempting Educational Property from the Fire Rescue Assessment could put privately-owned Educational Property at a competitive disadvantage. Accordingly, Educational Property that is owned by a governmental entity shall not be afforded an exemption from the Fire Rescue Assessment.

SECTION 6. COST APPORTIONMENT METHODOLOGY.

(A) Using data from the Fire Rescue Incident Reports related to the type of calls and physical location of each call, the Town assigned fire rescue incidents to specific properties located within the Town.

(B) Based upon such assignment of Fire Rescue Incident Reports to specific properties, the number of Fire Rescue Incident Reports filed within a sampling period was determined for each Property Use Category.

(C) Based upon such assignment of Fire Rescue Incident Reports to the Property Use Categories, a Demand Percentage was then determined for each Property Use Category by calculating the percentage that Fire Rescue Incident Reports allocated to each

Property Use Category bear to the total number of Fire Rescue Incident Reports documented for all Property Use Categories within the sampling period.

(D) Appendix B contains a designation of Code Descriptions by Property Use Category within the Fire Class Codes. Such correlation between Code Descriptions contained in the Fixed Property Use Codes on the Fire Rescue Incident Reports and the Fire Class Codes is necessary to allocate the historical demand for fire rescue services as reflected by the Fire Rescue Incident Reports for Tax Parcels on the Tax Roll within the Property Use Categories.

(E) The Demand Percentage for each Property Use Category was then applied to the Fire Rescue Assessed Costs and the resulting product is the cost allocation of that portion of the Fire Rescue Assessed Costs allocated to each individual Property Use Category.

SECTION 7. PARCEL APPORTIONMENT METHODOLOGY.

(A) The apportionment among Tax Parcels of that portion of the Fire Rescue Assessed Costs allocated to each Property Use Category under the Cost Apportionment shall be consistent with the Parcel Apportionment methodology described and determined in Appendix D, which Parcel Apportionment methodology is hereby approved, adopted, and incorporated into this Preliminary Rate Resolution by reference.

(B) It is hereby acknowledged that the Parcel Apportionment methodology described and determined in Appendix D is to be applied in the calculation of the estimated Fire Rescue Assessment rates established in Section 8 of this Preliminary Rate Resolution.

**SECTION 8. DETERMINATION OF FIRE RESCUE ASSESSED COSTS;
ESTABLISHMENT OF ANNUAL FIRE RESCUE ASSESSMENTS.**

(A) The Fire Rescue Assessed Costs to be assessed and apportioned among benefitted parcels pursuant to the Cost Apportionment and the Parcel Apportionment for the Fiscal Year beginning October 1, 2009, is the amount determined in the Estimated Fire Rescue Assessment Rate Schedule, attached hereto as Appendix C and incorporated herein by reference. The approval of the Estimated Fire Rescue Assessment Rate Schedule by the adoption of this Preliminary Rate Resolution determines the amount of the Fire Rescue Assessed Cost. The remainder of such Fiscal Year budget for fire rescue services, facilities, and programs shall be funded from legally available Town revenue other than Fire Rescue Assessment proceeds.

(B) The estimated Fire Rescue Assessments specified in the Estimated Fire Rescue Assessment Rate Schedule are hereby established to fund the specified Fire Rescue Assessed Costs determined to be assessed in the Fiscal Year beginning October 1, 2009. No portion of such Fire Rescue Assessed Cost is attributable to impact fee revenue that funds capital improvements necessitated by new growth or development. Further, no portion of such Fire Rescue Assessed Costs are attributable to the Emergency Medical Services Cost.

(C) The estimated Fire Rescue Assessments established in this Preliminary Rate Resolution shall be the estimated assessment rates applied by the Town Administrator in the preparation of the preliminary Assessment Roll for the Fiscal Year beginning October 1, 2009, as provided in Section 9 of this Preliminary Rate Resolution.

SECTION 9. ANNUAL ASSESSMENT ROLL.

(A) The Town Administrator is hereby directed to prepare, or cause to be prepared, an updated Assessment Roll for the Fiscal Year beginning October 1, 2009, in the manner provided in the Ordinance. The Assessment Roll shall include all Tax Parcels within the Property Use Categories. The Town Administrator shall apportion the estimated Fire Rescue Assessed Cost to be recovered through Fire Rescue Assessments in the manner set forth in this Preliminary Rate Resolution.

(B) A copy of this Preliminary Rate Resolution, documentation related to the estimated amount of the Fire Rescue Assessed Cost to be recovered through the imposition of Fire Rescue Assessments, and the updated Assessment Roll shall be maintained on file in the office of the Town Clerk and open to public inspection. The foregoing shall not be construed to require that the preliminary Assessment Roll be in printed form if the amount of the Fire Rescue Assessment for each parcel of property can be determined by the use of a computer terminal available to the public.

(C) It is hereby ascertained, determined, and declared that the method of determining the Fire Rescue Assessments for fire rescue services as set forth in this Preliminary Rate Resolution is a fair and reasonable method of apportioning the Fire Rescue Assessed Cost among parcels of Assessed Property located within the Town.

SECTION 10. AUTHORIZATION OF PUBLIC HEARING. There is hereby established a public hearing to be held at 12:00 p.m. on September 14, 2009, in the Town Council Chambers of Town Hall, 6591 Orange Drive, Davie, Florida, at which time the Town Council will receive and consider any comments on the Fire Rescue Assessments

from the public and affected property owners and consider imposing Fire Rescue Assessments for the Fiscal Year beginning October 1, 2009.

SECTION 11. NOTICE BY PUBLICATION. The Town Administrator shall publish a notice of the public hearing authorized by Section 10 hereof in the manner and time provided in Section 2.04 of the Ordinance. The notice shall be published no later than August 24, 2009 in substantially the form attached hereto as Appendix E.

SECTION 12. NOTICE BY MAIL. Pursuant to section 200.069(11)(a), Florida Statutes, and with agreement of the Property Appraiser, the Town Council elects to combine the notice required by Section 2.05 of the Ordinance and this Resolution with the truth-in-millage notification required pursuant to section 200.069, Florida Statutes. Such mailed notice shall be in the form required by section 200.069(11)(a), Florida Statutes, and consistent with the Uniform Assessment Collection Act and the Ordinance for the purpose of imposing Fire Rescue Assessments for the Fiscal Year beginning October 1, 2009. Such notices shall be mailed no later than August 24, 2009. In the event the Town Council elects to not use the truth-in-millage notification, the first class mailed notice shall be in substantially the form attached hereto as Appendix F, which also must be mailed no later than August 24, 2009.

SECTION 13. METHOD OF COLLECTION. It is hereby declared that the Fire Rescue Assessments shall be collected and enforced pursuant to the Uniform Assessment Collection Act as provided in Section 3.01 of the Ordinance for the Fiscal Year beginning October 1, 2009; provided, however, that any Fire Rescue Assessments that are imposed against Educational Property owned by a governmental entity shall be collected pursuant to the procedure provided in Section 3.03 of the Ordinance.

SECTION 14. APPLICATION OF ASSESSMENT PROCEEDS. The revenue derived from the Town's Fire Rescue Assessments will be utilized for the provision of fire rescue services, facilities, and programs, as reflected by the Fire Rescue Assessed Cost. In the event there is any fund balance remaining at the end of the Fiscal Year, such balance shall be carried forward and used only to fund fire rescue services, facilities, and programs.

SECTION 15. EFFECTIVE DATE. This Preliminary Rate Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED this 29th day of July, 2009.

TOWN OF DAVIE, FLORIDA

Mayor

ATTEST:

Town Clerk

(Corporate Seal)

APPROVED AS TO FORM AND CORRECTNESS:

Town Attorney

APPENDIX A
FIRE RESCUE INCIDENT REPORT TYPE CODES

APPENDIX A

FIRE RESCUE INCIDENT REPORT TYPE OF SITUATION FOUND CODES

Non Fire Call Type Summary	
Type Of Call For Service	Rational For Removing From Fire Assessment
Accident, potential accident other	EMS
Animal problem	EMS
Animal problem, other	EMS
Animal rescue	EMS
Assist invalid	EMS
Assist police or other governmental agency	EMS
Citizen Complaint	EMS
Dispatched & cancelled en route	EMS
Dive Team Rescue	EMS
Emergency medical service (EMS)	EMS
EMS call, excluding vehicle accident with injury	EMS
EMS call, party transported by non-fire agency	EMS
Extrication of victim(s) from machinery	EMS
Extrication, rescue, other	EMS
Good intent call, other	EMS
Lock-in (if lock out, use 511)	EMS
Lock-out	EMS
Medical assist, assist EMS crew	EMS
Person in distress, other	EMS
Police matter	EMS
Public service	EMS
Public service assistance, other	EMS
Rescue or EMS standby	EMS
Rescue, emergency medical call (EMS) call, other	EMS
Ring or jewelry removal	EMS
Search for person in water	EMS
Search for person on land	EMS
Search, other	EMS
Service Call, other	EMS
Swimming/recreational water areas rescue	EMS
Vehicle accident with injuries	EMS
Vehicle accident with no injuries	EMS
Vehicle accident, general cleanup	EMS
Vehicle/pedestrian accident (MV Ped)	EMS
Vicinity alarm (incident in other location)	EMS
Wrong location	EMS

APPENDIX B
FIRE CLASS CODES

APPENDIX B
FIRE CLASS CODES

Residential	("R")
Commercial	("C")
Warehouse/Industrial	("W")
Institutional	("I")
Vacant Land	("L")
Government	("X")
Miscellaneous	("Y")
Special	("S", and generally mixed use)
Common Assessed	("C")
Higher Education	("Z")

APPENDIX C

ESTIMATED FIRE RESCUE ASSESSMENT RATE SCHEDULE

APPENDIX C

ESTIMATED FIRE RESCUE ASSESSMENT RATE SCHEDULE

SECTION C-1. DETERMINATION OF FIRE RESCUE ASSESSED COSTS. The estimated Fire Rescue Assessed Cost to be assessed for the Fiscal Year beginning October 1, 2009, is \$7,300,000.00.

SECTION C-2. ESTIMATED FIRE RESCUE ASSESSMENTS.

(A) The estimated Fire Rescue Assessments to be assessed and apportioned among benefitted parcels pursuant to the Cost Apportionment and Parcel Apportionment to generate the estimated Fire Rescue Assessed Cost for the Fiscal Year beginning October 1, 2009, are hereby established as follows for the purpose of this Preliminary Rate Resolution:

Fire Class Category	Fire Rescue Assessment Rate	Billing Unit
Residential Property	\$130.00	Per Dwelling Unit
Commercial Property	\$0.2174	Per Square Foot
Warehouse/Industrial Property	\$0.0256	Per Square Foot
Institutional Property	\$0.0435	Per Square Foot
Educational Property	\$0.1264	Per Square Foot

(B) No Fire Rescue Assessment shall be imposed upon a parcel of Government Property or upon the portion of a Building located on a parcel of Institutional Property whose Building use is wholly exempt from ad valorem taxation under Florida law. The exemption provided herein does not apply to any Educational Property.

(C) Any shortfall in the expected Fire Rescue proceeds due to any reduction or exemption from payment of the Fire Rescue Assessments required by law or authorized by the Town Council shall be supplemented by any legally available funds, or combination of such funds, and shall not be paid for by proceeds or funds derived from the Fire Rescue Assessments. In the event a court of competent jurisdiction determines any exemption or reduction by the Town Council is improper or otherwise adversely affects the validity of the Fire Rescue Assessment imposed for this Fiscal Year, the sole and exclusive remedy shall be the imposition of a Fire Rescue Assessment upon each affected Tax Parcel in the amount of the Fire Rescue Assessment that would have been otherwise imposed save for such reduction or exemption afforded to such Tax Parcel by the Town Council.

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APPENDIX D
PARCEL APPORTIONMENT METHODOLOGY

APPENDIX D

PARCEL APPORTIONMENT METHODOLOGY

The Cost Apportionment to each Property Use Category shall be apportioned among the Tax Parcels within each Property Use Category as follows:

SECTION D-1. RESIDENTIAL PROPERTY. The Fire Rescue Assessment for each Tax Parcel of Residential Property shall be computed by multiplying the Demand Percentage attributable to Residential Property by the Fire Rescue Assessed Costs, dividing such product by the total number of Dwelling Units shown on the Tax Roll within the Town, and then multiplying such quotient by the number of Dwelling Units located on such Tax Parcel.

SECTION D-2. NON-RESIDENTIAL PROPERTY. The Fire Rescue Assessments for each Building of Non-Residential Property shall be computed as follows:

(A) Respectively, multiply the Fire Rescue Assessed Costs by the Demand Percentage attributable to each of the non-residential Property Use Categories. The resulting dollar amounts reflect the portions of the Town's fire rescue budget to be respectively funded from Fire Rescue Assessment revenue derived from each of the non-residential Property Use Categories.

(B) Separate each Building of Non-Residential Property into the appropriate non-residential Property Use Category for that Building.

(C) For each non-residential Property Use Category, add the Building square footage of all the Buildings in each non-residential Property Use Category. This sum

reflects an aggregate square footage area for each non-residential Property Use Category to be used by the Town in the computation of Fire Rescue Assessments.

(D) Divide the product of subsection (A) of this Section relative to each of the non-residential Property Use Categories by the sum of the square foot allocations for each non-residential Property Use Category described in subsection (C) of this Section. The resulting quotient expresses a dollar amount per square foot of improved area ("the square foot rate") to be used in computing Fire Rescue Assessments on each of the respective non-residential Property Use Categories.

(E) For each of the non-residential Property Use Categories, multiply the applicable square foot rate calculated under subsection (D) of this Section by the number of square feet for each Building in the non-residential Property Use Categories. The resulting products for each Building expresses the amount of Fire Rescue Assessments to be imposed on each Building of Non-Residential Property.

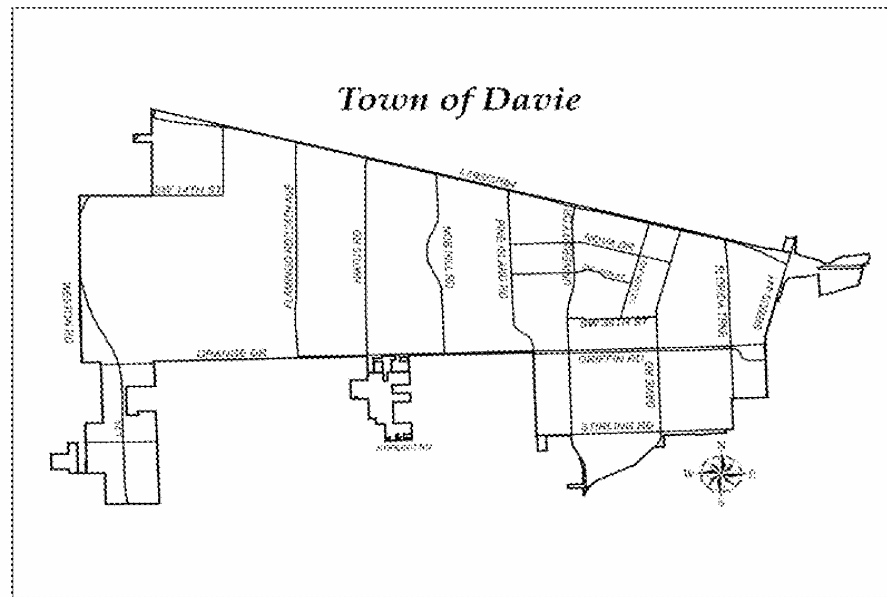
SECTION D-3. MIXED USE PROPERTY. The Fire Rescue Assessments for each Tax Parcel classified in two or more Property Use Categories shall be the sum of the Fire Rescue Assessments computed for each Property Use Category.

APPENDIX E
FORM OF NOTICE TO BE PUBLISHED

APPENDIX E

FORM OF NOTICE TO BE PUBLISHED

To Be Published No Later Than August 24, 2009



NOTICE OF HEARING TO REIMPOSE AND PROVIDE FOR COLLECTION OF FIRE RESCUE SPECIAL ASSESSMENTS

Notice is hereby given that the Town Council of the Town of Davie will conduct a public hearing to consider reimposing fire rescue special assessments for the provision of fire rescue services within the Town of Davie for the Fiscal Year beginning October 1, 2009.

The hearing will be held at 12:00 p.m. on September 14, 2009, in the Town Council Chambers of Town Hall, 6591 Orange Drive, Davie, Florida, for the purpose of receiving public comment on the proposed assessments. All affected property owners have a right to appear at the hearing and to file written objections with the Town Council within 20 days of this notice. If a person decides to appeal any decision made by the Town Council with respect to any matter considered at the hearing, such person will need a record of the

proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the Town Clerk at (954) 797-1020 at least two (2) business days prior to the date of the hearing.

The assessment for each parcel of property will be based upon each parcel's classification and the total number of billing units attributed to that parcel. The following table reflects the proposed fire rescue assessment schedule:

Fire Class Category	Fire Rescue Assessment Rate	Billing Unit
Residential Property	\$130.00	Per Dwelling Unit
Commercial Property	\$0.2174	Per Square Foot
Warehouse/Industrial Property	\$0.0256	Per Square Foot
Institutional Property	\$0.0435	Per Square Foot
Educational Property	\$0.1264	Per Square Foot

Copies of the Fire Rescue Assessment Ordinance (Ordinance No. 96-33), as it may be amended, the Initial Assessment Resolution (Resolution No. R-96-254), the Final Assessment Resolution (Resolution No. R-96-285), as supplemented and modified by Resolution No. R-97-19, the Preliminary Rate Resolution initiating the annual process of updating the Assessment Roll and reimposing the Fire Rescue Assessments for the Fiscal Year that began October 1, 2009, and the updated Assessment Roll are available for inspection at the Town Clerk's Office of Town Hall, located at 6591 Orange Drive, Davie, Florida.

The assessments will be collected on the ad valorem property tax bill which will be mailed in November 2009, as authorized by section 197.3632, Florida Statutes. Failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title. The assessments imposed against any higher education property that is owned by a governmental entity shall be collected by a separate bill to be sent by the Town.

If you have any questions, please contact the Budget & Finance Department at

(954) 797-1050.

TOWN COUNCIL OF DAVIE, FLORIDA

APPENDIX F
FORM OF NOTICE TO BE MAILED

APPENDIX F

***** NOTICE TO PROPERTY OWNER *****

***** THIS IS NOT A BILL *** DO NOT REMIT PAYMENT *****

Town of Davie
6591 Orange Drive
Davie, Florida 33314-3399

TOWN OF DAVIE, FLORIDA
NOTICE OF HEARING TO IMPOSE AND PROVIDE
FOR COLLECTION OF FIRE RESCUE NON-AD
VALOREM ASSESSMENTS
NOTICE DATE: August 24, 2009

Owner Name
Address
City, State Zip

Tax Parcel #: _____
Legal Description: _____
Sequence #: _____

As required by section 197.3632, Florida Statutes, and at the direction of the Town Council, notice is hereby given by the Town of Davie that an annual assessment for fire rescue services using the tax bill collection method, may be levied on your property. The use of an annual special assessment to fund fire rescue services benefiting improved property located within the Town of Davie in the past has proven to be fair, efficient and effective. The total annual fire rescue assessment revenue to be collected within the Town of Davie is estimated to be \$_____. The annual fire rescue assessment is based on the classification of each parcel of property and number of billing units contained therein.

The above parcel is classified as _____.

The total number of billing units on the above parcel is _____.

The type of billing units on the above parcel is _____.

The annual fire rescue assessment for the above parcel is \$_____.

The maximum annual fire rescue assessment that can be imposed without further notice for fiscal year 2009-10 and for future fiscal years for the above parcel is \$_____.

A public hearing will be held at 12:00 p.m. on September 14, 2009, in the Town Council Chambers of Town Hall, 6591 Orange Drive, Davie, Florida for the purpose of receiving public comment on the proposed assessments. You and all other affected property owners have a right to appear at the hearing and to file written objections with the Town Council within 20 days of this notice. If you decide to appeal any decision made by the Town Council with respect to any matter considered at the hearing, you will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the Town Clerks Office at (954) 797-1020 at least two (2) business days prior to the date of the hearing.

Unless proper steps are initiated in a court of competent jurisdiction to secure relief within 20 days from the date of Town Council action at the above hearing (including the method of apportionment, the rate of assessment and the imposition of assessments), such action shall be the final adjudication of the issues presented.

Copies of the Fire Rescue Assessment Ordinance (Ordinance No. 96-33), as it may be amended, the Initial Assessment Resolution (Resolution No. R-96-254), the Final Assessment Resolution (Resolution No. R-96-285) as supplemented and modified by Resolution No. R-97-19, the Preliminary Rate Resolution initiating the annual process of updating the Assessment Roll and reimposing the Fire Rescue Assessments, and the updated Assessment Roll for the upcoming Fiscal Year are available for inspection at the Town Clerk's Office of Town Hall, located at 6591 Orange Drive, Davie, Florida.

Both the fire rescue non-ad valorem assessment amount shown on this notice and the ad valorem taxes for the above parcel will be collected on the annual ad valorem tax bill mailed in November of each year that the assessment is imposed. Failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title.

If there is a mistake on this notice, it will be corrected. If you have any questions regarding your fire rescue assessment, please contact the Finance & Budget Department at (954)797-1050.

*** * * * * THIS IS NOT A BILL * * * * ***